

**REMARKS**

Claims 1, 3-9, 13, and 15-20 are pending in this application. By this Amendment, claims 1 and 13 are amended and claims 2, 10-12, and 14 are canceled without prejudice to or disclaimer of the subject matter found therein. Claim 1 is amended to incorporate the subject matter of claim 2 and claim 13 is amended to incorporate the subject matter of claim 14. No new matter has been added.

The courtesies extended to Applicants' representative by Examiner Sorrell at the telephone interview held May 4, 2006 are appreciated. The reasons presented at the telephone interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the telephone interview.

Claims 10-12 are rejected under 35 U.S.C. §101 as allegedly claiming as being directed to non-statutory subject matter. The cancellation of claims 10-12 renders the rejection moot. Thus, it is respectfully requested that the rejection be withdrawn.

Claims 1-20 are provisionally rejected under 35 U.S.C. §101 as allegedly claiming the same invention as that of claims 1-20 of copending application no. 10/781,721. The rejection is respectfully traversed.

As agreed during the telephone interview, on July 12, 2004, the Patent Office mistakenly placed the disclosure of this application 10/625,748 into the Image File Wrapper (IFW) of copending application 10/781,721. A copy of the IFW of copending application 10/781,721 printed from PAIR is attached, which indicates that on July 12, 2004, the Patent Office placed in the IFW of copending application 10/781,721 the following documents: applicant response to pre-exam formalities notice, specification, claims, abstract, oath or declaration filed, information disclosure statement (IDS) filed, and foreign references. However, the attached Patent Office date stamped receipt indicates that in responding to the May 12, 2004 Notice to File Missing Parts of copending application 10/781,721, Applicants

only submitted an Executed Declaration and IDS forwarding three references. Thus, it is clear that the Patent Office mistakenly placed the disclosure of this application 10/625,748 into the IFW of copending application 10/781,721.

Because of the Patent Office error, the premise on which the basis for the provisional double patenting rejection is rendered moot. Thus, as agreed, the provisional double patenting rejection will be withdrawn.

Also, as discussed with Examiner Sorrell, the Patent Office published the wrong disclosure for application 10/781,721. Accordingly, as agreed at the interview, the Patent Office will correct this error including correcting the disclosure of US Patent Publication No. 2004/0230734.

Claims 1, 8-10, 13, and 20 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,636,922 to Bastiani et al. (Bastiani). The rejection is respectfully traversed

Bastiani fails to disclose or suggest a command comparison section which compares contents of a first command packet transferred through the first bus before a bus reset with contents of a second command packet transferred through the first bus after the bus reset, when the bus reset that clears node topology information has occurred during the processing of the first command packet; and a command abort section which waits completion of a DMA transfer which has been started based on the first command packet, and aborts the command which has been issued to the device connected to the second bus based on the first command packet after the completion of a DMA transfer of the first command packet, when the contents of the first command packet are determined to be different from the contents of the second command packet, as recited in claim 1 and similarly, in claim 13.

Rather, Bastiani discloses use of an interrupt to send a notification to the system software at successful command completion or abort due to errors (col. 10, lines 41- 46). In particular, Bastiani merely discloses notifying occurrence of "abort." Bastiani does not

disclose waiting for completion of a DMA transfer based on the first command packet and aborting the command after completion of the DMA transfer, as claimed in independent claims 1 and 13.

Thus, Bastiani does not literally disclose each and every feature of Applicant's claimed invention as recited in claims 1 and 13 and the rejection under 35 U.S.C. §102 is inappropriate.

Because Bastiani does not anticipate or suggest the features as recited in claims 1 and 13, Bastiani cannot anticipate the subject matter of claims 8 and 9, which depend from claim 1, and claim 20, which depends from claim 13, for the reasons discussed with respect to claims 1 and 13 as well as for the additional features recited therein. The cancellation of claim 10 renders the rejection moot. It is respectfully requested that the rejection be withdrawn.

Claims 2, 3, 11, 14, and 15 are rejected under 35 U.S.C. §103(a) over Bastiani in view of U.S. Patent Publication No. 2001/0042141 to Matsunaga et al. (Matsunaga); claims 4, 5, 12, 16, and 17 are rejected under 35 U.S.C. §103(a) over Bastiani in view of JP 01106254 to Ogawa; and claims 6, 7, 18, and 19 are rejected under 35 U.S.C. §103(a) over Bastiani in view Ogawa as apply to claims 4, 12, and 16 and further in view of U.S. Patent No. 5,758,075 to Graziano et al. (Graziano). The rejections are respectfully traversed.

None of the applied references alone or in permissible combination disclose, suggest or teach the features as recited in claims 1 and 13. As the Office Action recognizes, "Bastiani fails to teach a command comparison section which compares contents of a first command packet transferred through the first bus before a bus reset with contents of a second command packet transferred through the first bus after the bus reset, when the bus reset that clears node topology information has occurred during the processing of the first command packet." Also, as the Office Action recognizes, "Bastiani fails to teach the command is aborted when the

contents of the first command packet are determined to be different from the contents of the second command packet."

However, none of the applied references overcome the deficiencies of Bastiani as applied to amended claims 1 and 13. For example, Matsunaga corresponds to Japanese Patent Application Laid-open No. 2001-177537, which is disclosed in the specification of the above-identified application (e.g., page 8, lines 8-12). Also, Matsunaga corresponds to the comparative example shown in Fig. 11 of Applicants' application. In Matsunaga, the contents of the first and second command packets (CMD1 and CMD2) are compared, as indicated, for example, by D5 in Fig. 11 of Applicants' application, and the data transfer is resumed when the contents of the first and second command packets are identical, as indicated by D6.

As Matsunaga describes, "when the first and second command packets are determined to not be the same, processing starts from the beginning using the second command packet after the bus reset as the initial command packet" (see step S8 in Fig. 8). Specifically, Matsunaga discloses handling of "the second command packet after the bus reset".

However, Matsunaga does not disclose handling of "the first command packet before the bus reset" when the contents of the first command packet before the bus reset differ from the contents of the second command packet after the bus reset.

On the other hand, as recited in claims 1 and 13, when a bus reset has occurred, the contents of the first command packet before the bus reset are compared with the contents of the second command packet after the bus reset (e.g., Fig. 13 of application). For example, as indicated by E4 in Fig. 13, when the contents of the first command packet have been determined to differ from the contents of the second command packet, the first command which has been issued to the device connected to the second bus based on the first command packet is aborted after completion of the DMA transfer initiated based on the first command

packet, as indicated by E6 and E7. Matsunaga does not disclose the above processing as claimed in claims 1 and 13.

Also, as described by Applicants in page 8, line 2-line 2, page 9 of the application, when a bus reset of the first bus has occurred, the DMA transfer through the second bus is immediately aborted. This is because all the transactions must be immediately canceled when a bus reset has occurred. However, various devices including a device, which does not have a fault recovery function may be connected to the second bus. A device connected to the second bus is designed without taking into account of occurrence of a bus reset of the first bus during the DMA transfer through the second bus. Therefore, when a bus reset of the first bus has occurred during the DMA transfer through the second bus, various problems occur if the command issued to the device connected to the second bus is aborted immediately. For example, a long time may be required for the device to return to the normal state, or the device may hang.

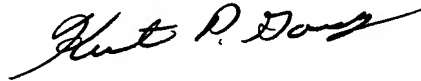
Applicants claimed subject matter as recited in amended claims 1 and 13 addresses these problems, for example, by suspending the command abort processing until the DMA transfer is completed and by waiting for completion of the DMA transfer while suspending the command abort processing. The alleged combinations of the applied references do not.

Because none of the applied references alone or in permissible combination thereof disclose or suggest the features as recited in amended claims 1 and 13, the alleged combinations cannot render obvious the subject matter of claims 3-7, which depend from claim 1, and the subject matter of claims 15-19, which depend from claim 13, for the reasons discussed with respect to claims 1 and 13 as well as for the additional features recited therein. The cancellation of claims 2, 10-12, and 14 render the rejections moot to these claims. It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:KPG/tbm

Attachment:

Copy of PTO stamped receipt of Application No. 10/781,721  
Copy of IFW of Application No. 10/781,721

Date: June 27, 2006

**OLIFF & BERRIDGE, PLC**  
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The following papers have been filed:

Response to NTFMP; Ck #156079 (\$130); Exec. Dec. (4 pp); Copy of NTFMP; IDS; 1449;  
3 refs.; 2 translations

**Name of Applicant:** Shinichiro FUJITA et al.

**Serial No.:** 10/781,721

**Atty. File No.:** 118765

**Title (New Cases):**

**Sender's Initials:** JAO:jfb

18/28

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Search results as of: 06-19-2006::16:08:24 E.T.

10/781,721

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11-21-2005	Miscellaneous Incoming Letter	1
07-12-2004	Applicant Response to Pre-Exam Formalities Notice	3
07-12-2004	Specification	30
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Search results as of: 06-19-2006::16:08:10 E.T.

10/781,721

**Transaction History**

Date	Transaction Description
03-17-2006	Case Docketed to Examiner in GAU
02-13-2006	Case Docketed to Examiner in GAU
11-21-2005	Miscellaneous Incoming Letter
06-14-2005	Case Docketed to Examiner in GAU
10-25-2004	IFW TSS Processing by Tech Center Complete
07-12-2004	Reference capture on IDS
07-12-2004	Information Disclosure Statement (IDS) Filed
02-20-2004	Request for Foreign Priority (Priority Papers May Be Included)
10-25-2004	Case Docketed to Examiner in GAU
08-09-2004	Application Return from OIPE
08-09-2004	Application Is Now Complete
08-09-2004	Application Return TO OIPE
08-09-2004	Application Return from OIPE
08-09-2004	Application Return TO OIPE
08-09-2004	Application Dispatched from OIPE
08-09-2004	Application Is Now Complete
07-12-2004	Additional Application Filing Fees
07-12-2004	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applic
05-12-2004	Notice Mailed--Application Incomplete--Filing Date Assigned
03-26-2004	Cleared by OIPE CSR
03-18-2004	IFW Scan & PACR Auto Security Review
02-20-2004	Initial Exam Team nn

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